

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES)
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v.) NO. 1:15-cr-10146
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)
JUAN LARA)

MOTION TO COMPEL PRODUCTION OF DISCOVERY ON CD/DVD

The defendant , Juan Lara, respectfully moves the Honorable Court to order the government to produce to him all discovery previously delivered via “USAfx” on CD/DVDs.

In support hereof the defendant respectfully says:

1. The government has provided over 8,000 pages of discovery by means of “USAfx,” which upon information and belief, is a file exchange platform proprietary to the Department of Justice, Executive Office of U.S. Attorneys.

2. In order to access that discovery, one must log into the system using one’s e-mail address; one is then prompted to request a password that is then sent to the requestor’s cell phone in a text message; one then enters the password in the appropriate box, which prompts the system to

send a “verification code,” also by text message to a cell phone; one then enters the verification code when prompted, and is then and only then allowed access to the documents uploaded on the platform.

3. Despite my best efforts and with the assistance of others who are much more tech savvy than I, I have been unable to access the documents.

4. The documents uploaded to the system in July are scheduled to be removed on September 15, 2015, and will thereafter be unavailable to me.

5. I have attempted to download the documents directly to the hard drive of my computer, but the combined files are so massive that the download started but then aborted due to the size of the combined files.

6. I need continuing, free access to these and all other discovery materials unimpeded by the requirements of a technology with which I am totally unfamiliar and quite frankly do not have the time to learn.

7. The government has been providing discovery to defense lawyers for many years on CD/DVDs, and I am accustomed to accessing and working with discovery so provided.

For all the foregoing reasons, and for those that may be put forth in oral argument, the instant motion ought to be allowed.

Juan Lara,
By his attorney

/s/ Frank D. Camera
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September 15, 2015

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served the above date upon all persons listed in the Notice of Electronic Filing entered in the CM/ECF system in connection with the instant motion.

/s/ Frank D. Camera